

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Jean-Paul MEAUSOONE, et. al. Group Art Unit:

Serial No.: 09/807,411 Examiner:

Filed: April 19, 2001

For: TUBE WITH MULTILAYER HEAD
AND METHOD FOR MAKING SAME

**PETITION UNDER 37 C.F.R. 1.47 INCLUDING
STATEMENT OF FACTS SHOWING DILIGENT EFFORT
TO CONTACT A NON-SIGNING INVENTOR**

This Petition is submitted in support of an application being filed by two of three co-inventors with a declaration signed by two of the inventors.

I work in the intellectual property department of Pechiney, the parent company of CEBAL SA. Ms. Anne-Marie Montillot also works in this office.


Ms. Montillot is responsible for administrative matters relating to international patent application number PCT/FR99/02525. Ms. Montillot was away from the office between April 17, 2001, and April 20, 2001. During her absence, I handled some of her work, including matters involving this application.

During Ms. Montillot's absence, Mr. La-Palus telephoned. Mr. La-Palus asked not to be contacted at his new workplace by telephone or by mail. He provided his new home address: 9, rue Du Faubourg d'Aval, 89600 Saint Florentin, France. He

also provided his personal phone number and indicated that he would not sign any papers for CEBAL SA because he was unhappy with the terms on which he left CEBAL SA.

Based on the above facts, I do not believe that Mr. La-Palus will sign any papers provided to him in connection with this application.

By:


France Mignot

Date:

August 13, 2001

09 OCT 2001

Docket: 01065

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This Petition is submitted in support of an application being filed by two of three co-inventors with a declaration signed by two of the inventors. As shown below, a diligent effort has been made to obtain the signature of the non-signing inventor, Mr. Roger La-Palus, but Mr. La-Palus continues to refuse to sign a declaration in connection with the above application.

The undersigned:

Ms. Anne-Marie Montillot
c/o Pechiney
Propriete Industrielle
Immeuble "SIS"
217, Cours Lafayette
69451 Lyon Cedex 06
FRANCE

00000001 09807411

is an administrator with the intellectual law department of Pechiney who was responsible for various administrative matters in connection with International Patent Application

LAW OFFICES
OF
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06/20/2003
FREY1
703 412-1155

No. PCT/FR99/02525 and national stage filings of this application, including the filing of the U.S. application identified above. CEBAL, SA is a subsidiary of Pechiney, and the intellectual property department of Pechiney handles certain patent matters for CEBAL SA.

BACKGROUND

Mr. La-Palus was an employee of CEBAL SA, at the time a patent application for the subject invention was filed in France. CEBAL SA filed an international patent application for the subject invention on October 18, 1999, which was assigned international application number PCT/FR99 /02525. Between the time that priority application was filed and the time the national phase was entered in connection with this application, Mr. La-Palus ceased to be employed by CEBAL SA.

ATTEMPTS TO CONTACT MR. LA-PALUS

On March 27, 2001, documents required for entering the national phase of the above application in various countries were sent to Mr. La-Palus at his place of employment. A copy of the letter sent to Mr. La-Palus with an English translation thereof is attached as Exhibit A.

Several attempts were made to contact Mr. La-Palus at his work address between March 28, 2001, and April 4, 2001, without success.

On April 4, 2001, a second letter was sent to Mr. La-Palus at his work address asking him to return the documents that had accompanied our March 27, 2001, letter. A copy of this letter and an English translation are attached as Exhibit B.

I was away from the office between April 17, 2001 and April 20, 2001. During my absence, Mr. La-Palus telephoned and spoke with Ms. France Mignot who was handling my work during my absence. According to Ms. Mignot, Mr. La-Palus asked not to be disturbed at his work place by telephone or mail. He provided his new home address and phone number and indicated that he would not sign any papers for CEBAL SA because he was unhappy with the terms on which he left CEBAL SA.


The signed declaration and assignment were received from the other two inventors in this case. Copies of these documents were sent to Mr. La-Palus at his home address on June 7, 2001. A copy of the letter sent with these documents and an English translation thereof is attached as Exhibit C. On June 15, 2001, a telephone call was placed to Mr. La-Palus' home phone number at lunch time, but he was not reached. On June 18, 2001, a telephone call was placed to Mr. La-Palus at his work telephone number, but he was not reached.

To date, Mr. La-Palus has not returned the requested documents or contacted Pechiney or CEBAL SA in connection with

this matter.

Based on the above facts, and Mr. La-Palus' stated refusal to sign any documents for CEBAL SA, I do not believe that Mr. La-Palus will sign the declaration for this application.

By:


Anne-Marie Montillot

Date:

August 10, 2001